

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

*E.G., individually and as a parent and natural guardian of
A.I. and L.I., minor children, et al.,*

Plaintiffs,

—v—

City of New York, et al.,

Defendants.

20-cv-9879 (AJN)

ORDER

ALISON J. NATHAN, District Judge:

The Court has received the parties' December 2, 2020 letter, in which Plaintiffs indicate that they believe an evidentiary hearing and discovery are necessary to resolve the motion for a preliminary injunction. Dkt. No. 28. Defendants oppose discovery and a hearing at this stage and indicate their view that the motion should be decided on the briefing papers. *Id.*

Plaintiffs shall submit a letter by **December 4, 2020** (1) explaining the factual disputes that Plaintiffs believe must be determined in order to resolve the motion; (2) proposing, with great specificity, what targeted discovery they seek with respect to those disputes; (3) proposing a time frame for completion of that discovery; (4) identifying how many witnesses Plaintiffs anticipate will appear and the identity of those witnesses (by category if the specific witness is unknown); (5) proposing potential dates for an evidentiary hearing and the anticipated length of any such hearing.

Defendants must respond by **December 7, 2020**. The Court is aware that the Defendants oppose a hearing and discovery altogether. But the Defendants' response should assume that the Court will permit limited discovery and a hearing in advance of resolution of the motion for

preliminary injunction. Accordingly, the Defendants' response letter should include any objections to the specifics of Plaintiffs' proposal and provide suggestions for an alternative schedule.

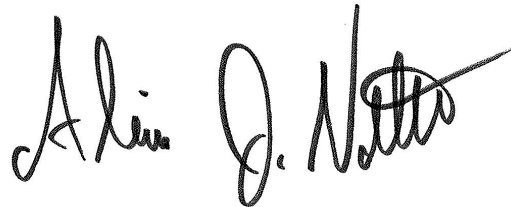
For purposes of proposing hearing dates, the parties are advised that the Court will be entirely unavailable from December 24, 2020 through January 1, 2021. Moreover, the Southern District has suspended all in person proceedings until at least January 15, 2020. *See* Suspension of In Person Operations (20 MISC 622) (November 30, 2020), available at

<https://www.nysd.uscourts.gov/sites/default/files/2020-11/20mc622%20Standing%20Order.pdf>.

Therefore, any evidentiary hearing before that date (and quite likely for sometime afterward) will be conducted remotely by videoconference. Additionally, the Court is likely to require supplemental briefing following the hearing and therefore any proposed timeframe for resolution should account for post-hearing briefing and time for resolution by the Court.

SO ORDERED.

Dated: December 3, 2020
New York, New York

A handwritten signature in black ink, appearing to read "Alison J. Nathan", written in a cursive style.

ALISON J. NATHAN
United States District Judge